**IN THE HIGH COURT OF JUDICATURE AT BOMBAY**

**TESTAMENTARY AND INTESTATE JURISDICTION**

**MISCELLANEOUS PETITION NO.19 OF 1996**

Mr Deepak Narendranath Sood and anr. ...Petitioner

v/s

Bhanusingh Birendrasingh Thakur alias Mazhar Hussein ...Respondent

Mr Pradip Sancheti i/b M/s Mulla and Mulla and Craigie Blunt and Caroe for Petitioner.

Dr M. Shah Alam Khan for Respondent.

**CORAM : D.K. DESHMUKH J.**

**DATE : 23RD JUNE 2006.**

**P.C.** :-

1. It is not necessary for the Court to decide this petition on merit because the learned counsel appearing for respondent has made following statement before the Court:-

> "The letter of administration granted in favour of the respondent by this Court in petition No.466 of 1990 does not decide the title of the respondent to plot Nos.B/5 and B/6 in the layout of Vile Parle Model Co-operative Housing Society Ltd., J.V.D. Scheme, Andheri (West), Bombay 400 049 and that the question of title of the respondent to those plots is open to be decided in the civil suit that has been filed by the petitioner for that purpose by the Civil Court on the basis of evidence produced before it."

. The statement is accepted. In view of this statement, nothing survives in the petition and it is disposed off.

. Parties to act on the copy of this order duly

authenticated by the Associate / Private Secretary as true copy.

. Certified copy expedited.

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